

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

ANGIE PINCKNEY)
Plaintiff,)
v.) Case No. 4:19-cv-02654
SANSONE GROUP)
Defendant.) Jury Trial Demand

1st AMENDED
COMPLAINT FOR RACE-BASED EMPLOYMENT DISCRIMINATION

COMES NOW, Plaintiff, Angie H. Pinckney, by and through her attorneys, and for her 1st Amended Complaint, alleges the following against Defendant, Sansone Group:

1. That this action is brought pursuant to Missouri Revised Statute Sec. 213.010 *et. seq.* and Title VII of the Civil Rights Act of 1964, amended (42 U.S.C. §2000e, *et seq.*). The jurisdiction of this Court is invoked to secure protection of and redress deprivation of rights guaranteed by state law, which rights provide for injunctive and other relief for illegal discrimination in employment.
2. That Plaintiff is an adult African American female and a citizen of the United States who during all relevant times mentioned herein resided in St. Louis, Missouri.
3. That Defendant is an employer in the County of Saint Louis, State of Missouri at the time that the alleged acts of discrimination occurred. Defendant is, and at all times relevant to these pleadings an employer within the State of Missouri, County of Saint Louis and within this Court's jurisdiction pursuant to Missouri Revised Statute Sec. 213.010 *et. seq.*

and Title VII of the Civil Rights Act of 1964, as amended, (42 U.S.C. §2000e, *et seq.*) engaging in an industry affecting commerce and employed more than twenty (20) regular employees.

4. That Plaintiff was employed by Defendant on May 25, 2017 until her dismissal on February 18, 2019. At all times relevant hereto, Plaintiff's job performance was more than satisfactory.
5. That Defendant engaged in policies and practices which willfully, intentionally and unlawfully harassed Plaintiff due to her being an African American woman. These practices and policies include but are not limited to;
 1. That Defendant did not support Plaintiff in conflicts with subordinates, in particular a maintenance engineer who expressed problems with a black female supervisor. Plaintiff's direct supervisor, Gretchen, and the maintenance engineer, Rich, both expressed racist attitudes towards the Plaintiff and the residents of the apartment complex. Plaintiff's supervisor, Gretchen, expressed concerns about a black maintenance engineer because "no work would get done".
 2. That Defendant did not support Plaintiff by hiring competent maintenance personnel. The maintenance engineer would lie about the status of repairs, ignore the work orders, and fail to make proper repairs. The maintenance engineer, Rich, expressed a displeasure with working at a predominately black apartment complex.
 3. That Defendant blamed Plaintiff for maintenance issues she had no control over. When the maintenance engineer failed to timely fulfill the work

orders, Ms. Pinckney was blamed for the condition of the premises. This was true even when there was no maintenance engineer at the complex.

4. That Defendant then discharged Plaintiff because she wasn't meeting her goals.
6. That Defendant made promises to Plaintiff upon hiring and set goals based on those promises. That Defendant failed to keep said promises after the goals were met because of Plaintiff's race and gender.
7. That Plaintiff has no plain, adequate or complete remedy at law to redress the wrongs alleged herein and this action for a permanent injunction and other relief is her only means of securing adequate relief. Plaintiff is suffering and will continue to suffer irreparable injury as a result of the acts of Defendant.
8. That as a result of Defendant's conduct as above mentioned, Plaintiff has suffered lost income, lost fringe benefits including health care, lost seniority, emotional distress and has incurred expenses in pursuing this matter.
9. That Defendant, when informed of the situation took no steps to correct it, told Ms. Pinckney to "deal with it", and ultimately terminated her.
10. That the termination was a direct result of the Defendant's maintenance engineer not wanting to work with black people or be told what to do by a black female and the Defendant allowing that behavior.
11. That as a result of Defendant's conduct as mentioned above, Plaintiff will continue to suffer lost income, lost fringe benefits, lost seniority and to incur expenses in the future, as well as emotional distress.

12. That Plaintiff has filed a timely charge of discrimination with the Missouri Commission on Human Rights and the EEOC, and has met all administrative prerequisites for the bringing of this action, see **Dismissal and Notice of Rights** letter from the EEOC dated 3-27-2019 attached.

WHEREFORE, Plaintiff requests that this Honorable Court advance this case on the docket, order a hearing at the earliest practical date, and upon such hearing;

- (A) Issue an order awarding Plaintiff lost pay, pre-judgment interest, fringe benefits, and any other appropriate relief necessary to make Plaintiff whole and compensate her for the civil rights violations described above;
- (B) Award Plaintiff front pay, back pay, fringe benefits, and other compensation; and any and all other benefits that Plaintiff has lost as a result of Defendant's violation of her civil rights.
- (C) Award Plaintiff the costs of this action, including reasonable attorney's fees, and such other legal and equitable relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED BY

O'GORMAN & SANDRONI PC

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CERTIFICATE OF SERVICE

The undersigned certifies that Plaintiff's 1st Amended Petition was E-mailed and mailed to:

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This 25th day of October, 2019.

Respectfully submitted,

/a/ Andrew D. Sandroni
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